

EXHIBIT A

OFFICIAL SESSION LAWS

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Enacted by the Regular Session of the
Twenty-Fifth Legislature of the
State of Oklahoma.

Convened January 4, 1955

Adjourned May 27, 1955

RAYMOND GARY, GOVERNOR

RAY FINE, President Pro Tempore of the Senate

B. E. HARKEY, Speaker of the House of Representatives

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of any such property or interest of the District by the District or any receiver of any of its properties or through any court proceeding or otherwise, provided, however, that the District may sell for cash any such property or interest in an aggregate value not exceeding the sum of Fifty Thousand (\$50,000.00) Dollars in any one (1) year, except that the District may sell any or all surplus property that the Authority may have acquired from the War Assets Administration or other government agencies selling war surplus property without regard to the limitations herein, if the Board, by the affirmative vote of Five (5) of the members thereof shall have determined that the same is not necessary or convenient to the business of the District and shall have approved the terms of any such sale, except that the Authority may lease its shore lands (not more than one-fourth ($\frac{1}{4}$) mile of the lake front to any one person, firm, or corporation), if the Board by affirmative vote of five (5) of the members thereof shall have determined that the same can be leased without injury to or without interfering with the operation of the Project and shall have approved the terms of any such lease, and no lease shall be for a term longer than two (2) years, and shall not deprive the owner of any land adjacent to the shore lands or lake front, or abutting thereon, of ingress or egress to and from the water of the lakes and shall not deprive said owner of any wharf, dock, or boat anchorage privileges that would belong to said owner if said shore lands or lake front were not leased, it being the intention of this Act that except by sale or lease as in this Section expressly authorized, no such property or interest shall ever come into the ownership or control, directly or indirectly, of any person, firm, or corporation other than a public authority created under the laws of the State of Oklahoma; provided nothing herein contained shall be construed as preventing the District from contracting with the United States or any agency thereof for the temporary possession, control and use of such properties by the United States or any agency thereof for the safety and defense of the United States in time of a National Emergency or in anticipation thereof. All property of the District shall be at all times exempted from forced sale, and nothing in this Act contained shall authorize the sale of any of the property of District under any judgment rendered in any suit, and such sales are hereby prohibited and forbidden.

Approved the 14th day of February, 1955. Emergency.

CHAPTER 9—Pollution of Waters.

HOUSE BILL NO. 986

AN ACT relating to water pollution; defining terms; authorizing the State Planning and Resources Board to exercise certain powers and duties; prohibiting pollution of the waters of this State; requiring permits for carrying on certain activities; outlining procedure for giving notice of violations of this Act; requiring hearings under certain conditions and providing procedures therefor; providing penalties for violations of this Act; authorizing the Board to subpoena witnesses and to require testimony; directing the Attorney General of the State, upon request, to bring legal action on behalf of the Board; providing for appeal from final orders of the Board and from court orders; making the provisions of this Act cumulative to existing laws; providing that this Act shall not be construed to abridge or alter rights of action or remedies under the common law or statutory law; providing that this Act shall not be construed as estopping the State or any municipality or person, as riparian owners or otherwise, in the exercise of their rights under the common law or statutory law, to suppress nuisances or abate pollution; making the provisions of this Act severable; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

Section 1. **Oklahoma Water Pollution Control Act of 1955.** This Act shall be known and may be cited as the "Oklahoma Water Pollution Control Act of 1955."

Section 2. **Purpose of Act—Public Policy Declared.** Whereas the pollution of the waters of this State constitutes a menace to public health and welfare, creates public nuisances, is harmful to wildlife, fish and aquatic life, and impairs domestic, agricultural, industrial, recreational and other legitimate beneficial uses of water, and whereas the problem of water pollution of this State is closely related to the problem of water pollution in adjoining states, it is hereby declared to be the public policy of this State to conserve the waters of the State and to protect, maintain and improve the quality thereof for public water supplies, for the propagation of wildlife, fish and aquatic life, and for domestic, agricultural, industrial, recreational and other legitimate beneficial

uses; to provide that no waste be discharged into any waters of the State without first being given the degree of treatment necessary to protect the legitimate beneficial uses of such waters; to provide for the prevention, abatement and control of new or existing water pollution; and to cooperate with other agencies of this State, agencies of other States and the Federal Government in carrying out these objectives.

Section 3. Definitions. Wherever used in this Act, the following terms shall have the respective meanings hereinafter set forth or indicated unless the context otherwise requires:

(a) "Pollution" means contamination, or other alteration of the physical, chemical or biological properties of any natural waters of the State, or such discharge of any liquid, gaseous or solid substance into any waters of the State as will or is likely to create a nuisance or render such waters harmful or detrimental or injurious to public health, safety or welfare, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish or other aquatic life.

(b) "Wastes" means industrial waste and all other liquid, gaseous or solid substances which may pollute or tend to pollute any waters of the State.

(c) "System" means pipe lines or conduits, pumping stations, and force mains, and all other constructions, devices, appurtenances and facilities used for collecting or conducting wastes to a point of ultimate disposal.

(d) "Treatment works" means any plant, disposal field, lagoon, dam, pumping station, incinerator, or other works used for the purpose of treating, stabilizing or holding wastes.

(e) "Disposal system" means a system for disposing of wastes, and includes sewerage systems and treatment works.

(f) "Waters of the State" means all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface and underground, natural or artificial, public or private, which are contained within, flow through, or border upon this State or any portion thereof.

(g) "Person" means the State, any municipality, political subdivision, institutions, public or private corporation, individual, partnership, or other entity.

(h) "Board" means the State Planning and Resources Board.

Section 4. State Planning and Resources Board—Powers and Duties. The Board shall have and is hereby authorized to exercise the following powers and duties:

(a) To develop comprehensive programs for the prevention, control and abatement of new or existing pollution of the waters of this State;

(b) To advise, consult, and cooperate with other agencies of this State, the Federal Government, other states and interstate agencies, and with affected groups, political subdivisions, and industries in furtherance of the purposes of this Act;

(c) To accept and administer loans and grants from the Federal Government and from other sources, public or private, for carrying out any of its functions;

(d) To encourage, participate in, or conduct studies, investigations, research and demonstrations relating to water pollution and causes, prevention, control, and abatement thereof as it may deem advisable and necessary in the public interest for the discharge of its duties under this Act;

(e) To collect and disseminate information relating to water and the prevention, control and abatement thereof;

(f) To adopt, modify or repeal and promulgate standards of quality of the waters of the State and classify such waters according to their best uses in the interest of the public under such conditions as the Board may prescribe for the prevention, control and abatement of pollution;

(g) To adopt, modify, repeal, promulgate and enforce rules and regulations implementing or effectuating the powers and duties of the Board under this Act;

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(h) To issue, modify, or revoke orders (1) prohibiting or abating discharges of wastes into the waters of the State; (2) requiring the construction of new disposal systems or any parts thereof or the modification, extension or alteration of existing disposal systems or any part thereof, or the adoption of other remedial measures to prevent, control, or abate pollution; and (3) setting standards of water quality, classifying waters or evidencing any other determination by the Board under this Act;

(i) To require the submission of and to review plans, specifications and other data relative to industrial disposal systems or any part thereof in connection with the issuance of such permits as are required by this Act;

(j) To issue, continue in effect, revoke, modify or deny, under such conditions as it may prescribe, to prevent, control or abate pollution, permits for the discharge of wastes into the waters of the State, and for installation, modification or operation of industrial disposal systems or any parts thereof;

(k) To exercise all incidental powers which are necessary and proper to carry out the purposes of this Act.

Section 5. Unlawful Acts, What Constitutes. (a) It shall be unlawful for any person to cause pollution as defined in Section 2 (a) of this Act of any waters of the State or to place or cause to be placed any wastes in a location where they are likely to cause pollution of any waters of the State. Any such action is hereby declared to be a public nuisance.

(b) It shall be unlawful for any person to carry on any of the following activities without first securing such permit from the Board, as is required by it, for the disposal of all industrial wastes which are or may be discharged thereby into the waters of the State: (1) the construction, installation, modification or operation of any industrial disposal system or part thereof or any extension or addition thereto; (2) the increase in volume or strength of any industrial wastes in excess of the permissive discharges specified under any existing permit; (3) the construction, installation, or operation of any industrial or commercial establishment or any extension or modification thereof or addition thereto, the operation of which would cause an increase in the discharge of wastes into the waters of the State or would otherwise alter the physical, chemical or biological properties of any waters of the State in any manner not already lawfully authorized; (4) the construction or use of any new outlet for the discharge of any wastes into the waters of the State; (5) The State Department of Health shall have the responsibility for issuing permit for the construction and installation of municipal sewage disposal systems and shall report to the Board such technical information as the Board requires relative to such systems.

The Board under such conditions as it may prescribe, may require the submission of such plans, specifications and other information as it deems relevant in connection with the issuance of such permits.

Section 6. Classification of Waters as to Standard of Quality—Public Hearings—Adoption of Standards. (a) In order to effectuate a comprehensive program for the prevention, control and abatement of pollution of the waters of this State, the Board is authorized to group such waters into classes according to their present and future best uses for the purpose of progressively improving the quality of such waters and upgrading them from time to time by reclassifying them, to the extent that is practical and in the public interest. Standard of quality for each such classification consistent with best present and future use of such waters may be adopted by the Board and from time to time modified or changed.

(b) Prior to classifying waters or setting standard or modifying or repealing such classifications or standards the Board shall conduct public hearings for the consideration, adoption or amendment of the classification of waters and standard of purity and quality thereof shall specify the waters concerning which a classification is sought to be made or for which standards are sought to be adopted and the time, date, and place of such hearing, provided said hearing shall be held in the area affected; such notice shall be pub-

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